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Attorneys for Plaintiff,
TINA RICHARDSON
as successor-in-interest
to Decedent Caleb Slay

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

1 TINA RICHARDSON, individually and as
2 successor-in-interest to Decedent Caleb Slay,
3 Plaintiff,

4 vs.

5 UNITED STATES OF AMERICA;
6 ANTHONY GASPERONI, individually and
7 in his official capacity as an agent for the
8 United States Drug Enforcement
9 Administration; JOHN STUART,
10 individually and in his official capacity as an
11 agent for the United States Drug
12 Enforcement Administration; DOES 1-20,
13 inclusive, individually and in their official
14 capacity as agents for the United States Drug
15 Enforcement Administration; CITY OF
16 SPRINGFIELD, a municipal entity; C.
17 NUCCIO, individually and in his official
18 capacity as sergeant for the Springfield
19 Police Department; and DOES 21-40,
20 inclusive, individually and in their official
21 capacity as police officers for the Springfield
22 Police Department,

23 Defendants.

CASE NO.: 6:23-cv-03337-RK

(Honorable District Judge Roseann A.
Ketchmark)

**DECLARATION OF JULIA N. QUESADA
IN SUPPORT OF PLAINTIFF'S
SUGGESTIONS IN OPPOSITION TO
DEFENDANT UNITED STATES' MOTION
TO DISMISS**

19 I, Julia N. Quesada, declare:

20 1. I am an attorney who is licensed to practice law in California and admitted to
21 practice before this Court. I represent the Plaintiff in the above captioned matter and I have
22 personal knowledge of the following facts, and, if called as a witness, I could and would
23 competently testify thereto.

24 2. The facts giving rise to this action are set forth in Plaintiff's Complaint filed with
25 this Court on October 31, 2023. (See generally ECF No. 1). In the late afternoon on November 2,
26 2020, Decedent Caleb Slay (hereinafter "Decedent Caleb") was parked out front of his home in
27 Springfield, Missouri, when two unmarked DEA vehicles pulled up and parked in front of his
28 house. The two DEA Agents, Anthony Gasperoni and John Stuart, were surveilling the area.

1 3. As Decedent Caleb began walking up his driveway to the front door of his house,
2 Defendant Gasperoni ordered Decedent Caleb to stop, and Decedent Caleb complied. Decedent
3 Caleb informed Defendant Gasperoni of his legal firearm, then slowly extended both hands out in
4 front of his body showing Defendant Gasperoni that he was not holding any weapon and did not
5 pose any threat.

6 4. During this interaction, Defendant Gasperoni took hold of Decedent Caleb's wrists
7 while Defendant Stuart approached from behind without any warning. Defendant Stuart grabbed
8 Caleb and one of the Defendant Agents, and Decedent Caleb, fell to the ground. While the
9 Defendant Agent and Decedent Caleb were on the ground, Defendant Gasperoni deployed his taser
10 against Decedent Caleb's neck. Defendant Gasperoni then took out his firearm and without
11 warning fired at least three bullets at Decedent Caleb, striking Decedent Caleb in the head twice.
12

13 5. Springfield Police Officers were dispatched to the scene after reports of shots fired.
14 Springfield Police Department Sergeant, C. Nuccio (hereinafter "Defendant Nuccio") was one of
15 the first officers on scene after the shooting.

16 6. Defendant Nuccio approached Decedent Caleb who was visibly bleeding from the
17 head and severely injured. Defendant Nuccio made the determination that Decedent Caleb did not
18 have a pulse and did not require immediate medical attention. Consequently, Defendant Nuccio
19 prevented emergency medical responders from immediately rendering aid and life saving measures
20 to Decedent Caleb. Emergency medical personnel were permitted to tend to Decedent Caleb
21 several minutes later and, contrary to Defendant Nuccio's initial determination, a low pulse was
22 found. Decedent Caleb succumbed to injuries and died in his front yard.

23 7. Attached hereto as **Exhibit "A"** is a true and correct copy of the transcript of
24 Defendant Anthony Gasperoni's Interview with Springfield Police Department.

25 8. Attached hereto as **Exhibit "B"** is a true and correct copy of the transcript of
26 Defendant John Stuart's Interview with Springfield Police Department.
27
28

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on April 1, 2024, at Beverly Hills, California.

3
4 **BURRIS NISENBAUM CURRY & LACY**

5
6 /s/ *Julia N. Quesada*

7 Julia N. Quesada

9 Attorney for Plaintiff,
10 Tina Richardson